

PRIORITY SEND

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES -- GENERAL

Case No. EDCV 12-01112 VAP (OPx)

Date: September 25, 2013

Title: FRANCINE MCDERMOTT -v- PALO VERDE SCHOOL DISTRICT,
DOES 1 - 10, INCLUSIVE

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PRESENT: HONORABLE VIRGINIA A. PHILLIPS, U.S. DISTRICT JUDGE

Marva Dillard
Courtroom Deputy

None Present
Court Reporter

ATTORNEYS PRESENT FOR
PLAINTIFFS:

ATTORNEYS PRESENT FOR
DEFENDANTS:

None

None

PROCEEDINGS: ORDER TO SHOW CAUSE WHY THE CASE SHOULD NOT
BE DISMISSED FOR FAILURE TO PROSECUTE (IN
CHAMBERS)

On July 5, 2012, Plaintiff Francine McDermott ("Plaintiff") filed a Complaint (Doc. No. 1), alleging violations of her civil rights under the Rehabilitation Act, the Americans With Disabilities Act, and California's Fair Employment and Housing Act. (Compl. ¶ 1.) On October 29, 2012, Defendant Palo Verde School District ("Defendant") filed an Answer (Doc. No. 7). On August 26, 2013, Plaintiff filed a First Amended Complaint ("FAC") (Doc. No. 28), asserting the same violations alleged in the Complaint. Defendant answered the FAC on September 12, 2013 (Doc. No. 34).

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Initials of Deputy Clerk ____md____

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FRANCINE MCDERMOTT v. PALO VERDE SCHOOL DISTRICT, DOES 1 - 10, INCLUSIVE
MINUTE ORDER of September 25, 2013

Pursuant to the Court's Civil Trial Scheduling Order issued on February 4, 2013 (Doc. No. 12), as well as Local Rules 16-4 through 16-6, the parties were required to submit pretrial filings, not later than twenty-one days before the pretrial conference, including memoranda of contentions of fact and law, witness lists, and a joint exhibit list. After two continuances, the Court continued the pretrial conference date to October 7, 2013 and confirmed the trial date as October 8, 2013.

As of the date of this Order, Plaintiff has not filed the pretrial documents required by the Court's Scheduling Order or Local Rules 16-4 (memorandum of contentions of fact and law), 16-5 (witness list), and 16-6 (exhibit list). Defendant has timely submitted its pretrial filings (see Doc. Nos. 29-31).

Accordingly, as Plaintiff has failed to produce the required pretrial disclosures in violation of the Court's Scheduling Order and the Local Rules, Plaintiff is ORDERED TO SHOW CAUSE in writing not later than **September 30, 2013**, why the case should not be dismissed for failure to prosecute. To satisfy this requirement, Plaintiff may produce the required pretrial disclosures to Defendant by September 30, 2013, or submit briefing not later than September 30, 2013. **If Plaintiff fails to comply with the Court's Order by September 30, 2013, the Court will dismiss this action without prejudice.**

IT IS SO ORDERED.